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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: IULIANETTI=1

In re Application of:)	Art Unit: 1772
IULIANETTI, Lino)	Examiner: WATKINS, W.P.
Appln. No.: 09/719,745)	Washington, D.C.
Filed: December 15, 2000)	Confirmation No.4168
For: FILM MADE OF MOLDED PLASTIC MATERIAL...)	September 22, 2003

Oliver
Detlev
on
Appeal
WATKINS
9-29-03

RESPONSE

Honorable Commissioner for Patents
2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

The Examiner's action dated May 21, 2003, has been received, and its contents carefully noted.

The rejection of claims 1 and 2 as anticipated by Thomas or Suzuki is respectfully traversed, for the reason that neither of these references discloses the novel film defined in the claims now under examination.

Claim 1 defines a film having an upper surface presenting a multiplicity of openings extending in the form of through holes in the direction of a lower surface of the same film and specifies the following:

each through hole being completely surrounded by,
and mutually adjacent through holes being separated by,
segments of said film that are all of the same height and

all have a profile with symmetrical sides extending to, and converging towards, the upper surface, characterized in that said profile of the film segments has a semi-ellipse cross-section.

It is submitted that neither of the applied references discloses this combination of features.

It should be particularly noted that the particular shape of the profile of all of the film segments according to the present invention offers the result that the resulting through holes will create a pressure differential that will generate a directional fluid motion that prevents fluid from flowing back toward the top surface, with the result that the film has the property of attracting surface liquids and letting them pass rapidly only from the upper surface to the lower surface, while preventing liquids from flowing back in the opposite direction.

The Thomas reference, which discloses a perforated film having zero percent runoff (column 3, line 31-33 and 43-45), does not disclose film segments with elliptical cross-sections. Nowhere in this reference is the word "ellipse" or "elliptical" found. Nor is there any description that can be considered to define such a cross-section. There is no basis for concluding that the cross-section shown in figure 3 of the reference is elliptical and it is noted that the description

of this figure in the reference specification simply states that the sidewalls are shown to be curved, but they could also be straight (Column 5, line 52-55). Given the disclosure in the reference that the sidewalls can be curved or straight, it is clear that the patentees attached no importance to the provision of curved sidewalls.

The Suzuki patent also fails to disclose having mutually adjacent holes that are completely surrounded by segments of a film that are all of the same height and all have a profile that has a semi-ellipse cross-section. The only semi-ellipse cross-section is shown in figure 4 of this reference and this is a cross section along a line that extends at an angle of 45 degrees to the length of a rib. As shown in figure 3, and described at column 3, lines 59-65 of the reference, the main portion of the same rib has a **semi-circular** cross-section. In other words, each through hole in the fabric is not completely surrounded by a profile having a semi-ellipse cross-section.

Moreover claim 1 specifies that each through hole is surrounded by "segments of said film that are all of the same height" and it is abundantly clear that this requirement is not met by the ribs disclosed in the Suzuki reference.

Accordingly, it is submitted that neither of the applied references anticipates the present claims and it is

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Reply to Office Action of May 21, 2003

therefore requested that the prior art rejection be reconsidered and withdrawn, that claims 1 and 2 be allowed, and that the application be found in allowable condition.

If the above amendment should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

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